

REMARKS

Applicants respectfully request entry of the amendments hereinabove, reconsideration of the Office Action mailed on August 1, 2008 and allowance of the claims.

Claims 19-41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention because of the following informalities: there is no period at the end of said claims. The rejection also states that in claims 19-41, the term “comprising” is an open-ended language. The rejection asks “What else is present except the compound?” The rejection recommends that Applicants delete “comprising” to overcome this rejection.

Applicants have added a period at the end of each of claims 19-41 in accordance with the Examiner’s suggestion. Applicants traverse the rejection regarding the suggestion that their claims are indefinite since they use the transition term “comprising”. Applicants submit that the use of the term comprising is a well accepted term in such claims. Applicants direct the Examiner’s attention to most claims granted by the U.S. patent office. These claims use the term “comprising”.

Claims 19-41 are objected to because of the following informalities:

a.) There is no comma or semi colon to separate one species from the other species in claims 19-41. –It is recommended that Applicants separate each species from the next species by comma or semicolon and add “and” before the last species e.g., compound X; compound Y and compound Z.

Applicants have complied with the Examiner’s recommendation.

b.) In claim 19 (page 10, line 2), the word “methylet-hyl” should read as “methylethyl” Applicants have corrected the clerical error.

Claim 1 and claims dependent thereon are rejected because of the methyl groups in the chemical structure. The rejection states that in claim 1 (page 2), the chemical structure of formulat (I) has three methyl groups attached to the rings, but the –CH₃ is not shown. The rejection states that the three methyl groups are shown by line and dashed line. The rejection states that it is recommended that Applicants add “CH₃” at the end of the line.

Applicants submit that claim 1 and dependent claims thereon are definite. Those skilled in the art would understand that a bond with no substituent at the end is attached by a methyl. The art is replete with examples of this form of structure drawing.

Respectfully submitted,

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